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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,205	12/21/2000	Benoit Pol Menez	PU000178	8043

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EXAMINER

ABDI, KAMBIZ

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,205

Applicant(s)

MENEZ ET AL.

Examiner

Kambiz Abdi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-10 have been examined.

Claim Objections

2. Claim 1 is objected to because of the following informalities:

“time period based on user spending limit...”

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-5 and 7-10 are rejected under 35 U.S.C. 102 (e) being anticipated by Akira Urakoshi, U.S. Patent No. 6,067,564.

5. As per claim 1, Urakoshi discloses;

A method for processing user programming request, comprising the steps of:

- detecting a user request (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58);
- providing an entry for a time period based user spending limit, in respond to the 5user request;
- receiving the entry (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58); and
- tracking user spending during the time period (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58).

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6. As per claim 2, Urakoshi discloses all the limitations of claim 1, further;

Urakoshi discloses,

- the step of providing a selection for a rolling time period (See Urakoshi abstract, column3, lines 50-56, column 4 lines 64-68, and column 5, lines 1-3 and 50-58).

7. As per claim 3, Urakoshi discloses all the limitations of claim 1, further;

Urakoshi discloses,

- of generating a user warning when the user spending exceeds the time period based user spending limit entered (See Urakoshi abstract, and column 5, lines 40-49).

8. As per claim 4, Urakoshi discloses all the limitations of claim 3, further;

Urakoshi discloses,

- comprising the step of allowing the user to override the user spending limit (See Urakoshi column 4, lines 17-63).

9. As per claim 5, Urakoshi discloses;

- A method for processing user programming request, comprising the steps of: detecting a user request (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58);
- providing a plurality of spending limit entries each corresponding to a time period, in respond to the user request (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58);
- receiving one or more of the selected spending limit entries; and tracking user spending during each of the selected time period (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58).

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10. As per claim 7, Urakoshi discloses all the limitations of claim 5, further;

Urakoshi discloses,

- tracking all applicable user spending during the selected time periods (See Urikoshi abstract, column 4, lines 3-68, and column 5, lines 1-58).

11. As per claim 8, Urakoshi discloses all the limitations of claim 5, further;

Urakoshi discloses,

- providing the option of counting the selected time period on a rolling basis (See Urikoshi abstract, column 2, lines 9-30, column 3, lines 51-56, column 4, lines 3-68, and column 5, lines 1-58).

12. As per claim 9, Urakoshi discloses, a system for processing user programming request, comprising the steps of:

- a user controller for entering a user request (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58); and
- means for providing an entry for a time period based user spending limit, in respond to the user request (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58);
- said means receiving the entry and providing user spending tracking during the time period (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58).

13. As per claim 10, Urakoshi discloses, a system for processing user programming request, comprising the steps of:

- a user controller for detecting a user request (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58); and

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- means for providing a plurality of spending limit entries each corresponding to a time period, in respond to the user request (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58);
- said means receiving one or more of the selected spending limit entries and tracking user spending during each of the selected time period (See Urakoshi Abstract, column 1, lines 57-68, column 2, lines 9-30, column 3, lines 50-56, column 4, lines 3-68, and column 5, lines 1-58).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akira Urakoshi, U.S. Patent No. 6,067,564.

16. As per claim 6, Urakoshi discloses all the limitations of claim 5.

But Urakoshi does not clearly specify, performing a check to see if a spending limit for a shorter time period is greater than a spending limit entry for a longer time period; and providing a user warning if otherwise. However, it is an obvious practice to keep track of multiple accounting of spending limits and associated time periods in these type or other accounting systems that have a limited time to spend or use the allocated fund, as it has been clearly stated in Urakoshi's specification. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to make a comparison of the effective time periods in relation to spending limits for more efficient budgeting/spending of funds as well as overall control of funds spent in accordance to fund limits.

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Conclusi n

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Abdi whose telephone number is (703) 305-3364. The examiner can normally be reached on 9:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington D.C. 20231**

or faxed to:

(703) 305-7687 [Official communications; including After Final communications labeled "Box AF"]

(703) 746-7749 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to:

**Crystal Park 5, 2451 Crystal Drive
7th floor receptionist, Arlington, VA, 22202**

**Abdi/K
November 26, 2002**


**JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**